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**FISCAL IMPACT STATEMENT**

**LS 6185**

**BILL NUMBER: SB 43**

**NOTE PREPARED: Jan 18, 2011**

**BILL AMENDED: Jan 12, 2011**

**SUBJECT: GPS Monitoring and Parole.**

**FIRST AUTHOR: Sen. Steele**

**FIRST SPONSOR:**

**BILL STATUS: 2<sup>nd</sup> Reading - 1<sup>st</sup> House**

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT: State**

**Summary of Legislation:** (Amended) This bill has the following provisions:

- A. It specifies that the parole board shall require that certain persons convicted of child molesting be required to wear a GPS tracking device; and permits the parole board to require other sex and violent offenders be required to wear a GPS tracking device.
- B. It provides that the parole board may remove the requirement that a parolee wear a GPS tracking device, and that in making this determination, the parole board must consider a validated recidivism risk assessment.

(The introduced version of this bill was prepared by the Criminal Law and Sentencing Policy Study Committee.)

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** *Summary-* Under current law, any sexually violent offender is required to wear a GPS tracking device. This bill reduces the number of sex offenders who would be required to wear a GPS monitoring device from roughly 589 to 35. The average cost of wearing a GPS device and having the capacity to monitor these offenders is roughly \$15 each day.

**Background Information-** Under current law, any sexually violent offender is required to wear a GPS tracking device. Except for Class A child molesting, the bill provides that the parole board will have the discretion to require any other sexually violent predator to wear a GPS monitoring device. These offenders will generally all be on parole.

The broad category of "sexually violent predators" includes the offenses shown in the following table.

<u>Offense</u>	<u>First-time offense</u>	<u>If previous unrelated sex crime</u>
Rape (IC 35-42-4-1)	x	
Criminal deviate conduct (IC 35-42-4-2)	x	
Child molesting (IC 35-42-4-3) Class A or B	x	
Child molesting (IC 35-42-4-3) Class C		x
Child exploitation (IC 35-42-4-4(b))		x
Vicarious Sexual Gratification (IC 35-42-4-5)	x	
Child Solicitation (IC 35-42-4-6)		x
Child seduction (IC 35-42-4-7)		x
Sexual misconduct with a minor Class D felony (IC 35-42-4-9)		x
Incest (IC 35-46-1-3)		x
Sexual battery (IC 35-42-4-8) with a deadly weapon		x
Sexual battery (IC 35-42-4-8)		x
Kidnaping (IC 35-42-3-2), if victim younger than 18		x
Criminal confinement (IC 35-42-3-3), if victim younger than 18		x
Possession of child pornography (IC 35-42-4-4(c)), with prior unrelated conviction		x

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction; Indiana Parole Board.

**Local Agencies Affected:**

**Information Sources:** Department of Correction.

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